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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 AUG 12 AM 10: 17
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Julio Ricardo SANCHEZ-Mojeno** Defendant.	)	Magistrate Case No. COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States '08 MJ 2489

The undersigned complainant, being duly sworn, states:

On or about, **May 24, 2008,** within the Southern District of California, defendant, **Julio Ricardo SANCHEZ-Mojeno** an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **12th** DAY OF **August 2008.**

UNITED STATES MAGISTRATE JUDGE

5/11/08 q/

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PROBABLE CAUSE STATEMENT

On May 24, 2008, the defendant identified as, **Julio Ricardo SANCHEZ-Mojeno,** was apprehended by the United States Border Patrol. Subsequently, the defendant was booked into San Diego Jail for violation of California Penal Code Section 3056 "Violation of Parole: Felon" and an Immigration Hold (I-247) was placed pending his release from local custody.

On August 11, 2008, the defendant was referred from local custody to Immigration and Customs Enforcement (ICE), in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed form the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant **Julio Ricardo SANCHEZ-Mojeno**, has been ordered removed from the United States to Mexico by an Immigration Judge on or about February 23, 2001 and removed to Mexico, via the San Ysidro Port of Entry on February 23, 2001. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint Identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, **Julio Ricardo SANCHEZ-Mojeno**, a citizen and national of Mexico.